NATIONAL GAY AND LESBIAN TASK FORCE

National Gay and Lesbian Task Force
Policy Institute

A Supreme Response: A National Day of Action

A Supplement To The Undo 2 Action Kit

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January 1996

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A Supreme Response:

The Supplement to the Undo 2 Action Kit

This Supplement Contains

Left Side Of Packet

- Cover letter
- National Call to Action
- Suggested Timeline
- Colorado's Supreme Response
- The Decision & Its Implications
- Experiments of the Radical Right

Right Side Of Packet

- Undo 2 Supreme Response Summary and Background
- October 9th Day of Action Summary
- Statement of Kerry Lobel, NGLTF Deputy Director, at October 10th media briefing
- Denver Post Article on Amendment 2
- Colorado's Amendment 2, Questions and Answers, Lambda Legal Defense and Education Fund
- Statement of Suzanne B. Goldberg, Lamdba Legal Defense and Education Fund Staff Attorney
- Organizations Signing on as Amicus Before U.S. Supreme Court in Opposition to Amendment 2 (Lamdba Legal Defense & Education Fund)

A Supreme Response:

The Supplement to the Undo 2 Action Kit

This Supplement Contains

- Letter from Undo 2 Action Supporter and Attorney
- Table of Contents
- Undo 2 Action Supporter Summary and Background
- Undo 2 Action Supporter Statement of Interest
- Undo 2 Action Supporter Argument
- Undo 2 Action Supporter Conclusion
- Certificate of Service
- Appendix

National Gay and Lesbian Task Force

January 18, 1996

Dear Undo 2 Organizer:

NGLTF, in conjunction with Equality Colorado, Ground Zero and other Colorado-based organizations is calling on activists around the country to respond to what may be one of the most important Supreme Court decisions in our movement's history.

Be part of A Supreme Response to the Amendment 2 decision—prepare your community to turn out at a pre-designated place and time the day *after* the decision is rendered to educate the public and either celebrate or demonstrate.

Those of you in communities that participated in the October 9th Undo 2 Day of Action, continue building on those efforts. Those of you new to the Undo 2 network, welcome. The voice of the gay, lesbian, bisexual, and transgendered community resonated throughout the country on October 9th. Our collective voice promises to be even greater and stronger as we anticipate the number of actions across the country to increase significantly. There were 36 actions on the day of the hearing . We expect well over 50 actions, if not more, the day after the decision. Begin planning, educating, and mobilizing your community now for its response to the decision.

The Supreme Court returns this month, and the decision could be rendered immediately, though experts think this unlikely. Some estimate that, because the case is of such potential magnitude, the Court will take a few months to craft its decision, putting us in February or March. The decision could also come as late as June, right before the Court adjourns for the summer. However, there simply is no way of knowing. The decision could come at any time. We must be ready!

Enclosed is *A Supreme Response: a Supplement to the Undo 2 Action Kit.* This packet includes information on the pending decision, additional information on Amendment 2, details of plans by Colorado organizers, as well as specific suggestions for preparing and mobilizing your community in response to the Court's decision. If you are new to the Undo 2 Action Network, also enclosed is the Undo 2 Action Kit. Please do not hesitate to call NGLTF if you need additional materials or assistance in organizing your community's response to the court's decision.

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Please also be sure to inform NGLTF of specific plans in your community so that we can effectively communicate the scope of this unified Supreme Response to the national media as well as update the rest of the Undo 2 network on efforts throughout the country. Good luck and thank you for your important work. We will be in touch with you in the coming weeks.

Sincerely,

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Field Organizer
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A SUPREME RESPONSE
CALL TO ACTION

START ORGANIZING, NOW!

THE NATIONAL GAY AND LESBIAN TASK FORCE AND COLORADO-BASED ORGANIZATIONS CALL ON GAY, LESBIAN, BISEXUAL, TRANSGENDERED COMMUNITIES AND OUR ALLIES AROUND THE COUNTRY TO PARTICIPATE IN A NATIONWIDE SUPREME RESPONSE TO THE UPCOMING, LANDMARK DECISION BY THE U.S. SUPREME COURT ON COLORADO'S AMENDMENT 2. MOBILIZE YOUR COMMUNITY TO TURN OUT THE DAY AFTER THE DECISION IS RENDERED AT A DESIGNATED PLACE AND TIME TO EDUCATE AND CELEBRATE OR DEMONSTRATE.

- **Hold meetings now to work out logistics for your time and place of action.** Find out what permits are required to hold a public gathering. Get commitments for speakers, entertainers, groups that will attend. Spread the word through their networks. Get endorsements from non-gay allies and gay groups alike.
- **Develop a phone tree.** Inform people and organizations about the decision the day it is rendered.
- **Organize teach-ins about Amendment 2.**
- **Sponsor community forums and town meetings.** Discuss plans for your community's Supreme Response.
- **Coordinate a civil rights summit.** Include all civil rights leaders in your community to discuss what Amendment 2 means for everyone. Discuss assaults by the right on other civil rights issues, e.g. affirmative action, immigration, hate violence, etc.
- **Alert your local gay and straight press to this issue and plans for your community's Supreme Response.** Prepare press releases and media packets with plans.
- **Write letters to the editor and editorials.**

A SUPREME RESPONSE
CALL TO ACTION

START ORGANIZING NOW!

COLORADO'S UNDO 2 SUPREME RESPONSE

Equality Colorado, Ground Zero and other Colorado organizations are mobilizing the Colorado gay, lesbian, bisexual, and transgender community in preparation for the Court's decision. In Denver and the surrounding area, people will gather at the State Capitol at 6pm. Other communities across the state plan to gather at a designated site in their area.

If the decision is positive, people will celebrate and look towards the future.

If the decision is negative, the community will protest and are preparing to possibly:

- block traffic/gridlock downtown everywhere
- surround the capitol and/or other public buildings and block entrances
- participate in civil disobedience
- gather signatures on an initiative campaign
- perform street theater to demonstrate opposition to the decision
- ask public officials to make a statement condemning the decision
- walk out from jobs

NOTE: Some of these actions are illegal. Get legal advice before deciding to carry them out.

Colorado leaders are planning their response for the day the decision is rendered. NGLTF calls for organizers from other states to plan their Supreme Response for the day *after* the decision is rendered in order to give communities (particularly those on the east coast) time to turn out.

For more information, contact Equality Colorado ,
POB 300476, Denver CO 80203;
(303) 839-5540;
EqualityCo@aol.com

COLORADO'S
UNDO 2
SUPREME RESPONSE

NATIONAL DAY OF ACTION SUMMARY

This summary includes only a portion of the 36 actions that took place across the country. This summary will be updated as additional reports are received from Undo 2 organizers. Press clippings and summaries may be mailed to Tracey Conaty, Field Organizer; NGLTF; 2320 17th St. NW; Washington, DC 20009.

ALASKA - ANCHORAGE

Report by Laura Burleson

Press Conference and letter writing campaign: The press conference received television coverage, and over 150 people were contacted for a letter writing campaign, with approximately thirty letters to the editor going into the paper. On October 10th, there was an article giving general information on the Amendment 2 case on the front page of the local paper.

ARIZONA - PHOENIX

Report by Diane Post, Arizona Human Rights Foundation

Vigil in front of the Arizona Supreme Court: There were four speakers, including Harriet Turner, general counsel for the State Bar of Arizona. Press coverage included a story in the *Arizona Republic Valley and State.*

ARKANSAS - EUREKA SPRINGS

Report by Phyl Boler-Schmidt, Arkansas Gay & Lesbian Task Force

Candlelight Vigil: Speakers including the pastor from the local MCC (who was the pastor of the MCC Rockies during the Amendment 2 campaign).

"We had 14 in all at the vigil, not a bad turnout for a town of only 1,900 in the heart of the Bible Belt. The police chief was invited, and had planned to attend, but was called away on business. A gentleman who works for the city opened the doors to the courthouse so that we could form a circle both inside and outside. He also brought along his singing partner and provided us with some wonderfully uplifting music that made us all feel a part of the process with the ability to make a difference. "We lit a rainbow array of candles and sprinkled fairy dust (angels, doves, dolphins) all over the courthouse steps and in

front of the building (candles and fairy dust provided by The Emerald Rainbow - the local queer/metaphysical shop). We felt a great deal of solidarity with our brothers and sisters throughout the country as we tried to coordinate our efforts to coincide with other vigils."

COLORADO - COLORADO SPRINGS

Report by Frank Whitworth, Ground Zero

Rally and candlelight vigil: "The most successful and largest rally ever with such a broad base of support." Speakers included Melinda Paras, NGLTF Executive Director. It was also the first gay and lesbian event ever held in the El Paso County government building.

COLORADO - DENVER

Report by Sue Anderson, Equality Colorado

Rally and town meeting: Held at the MCC in Denver, the rally was attended by over 250 people and speaker included the Mayor of Denver, Melinda Paras, NGLTF Executive Director, and Candace Gingrich. The rally was followed by a town meeting which was hosted by Paras and Gingrich. This rally was one of eight Undo 2 events held throughout the state. The Denver events received substantial press coverage, including stories in Denver's two daily newspapers.

DISTRICT OF COLUMBIA

Report by Tracey Conaty, NGLTF

Candlelight vigil in front of the Supreme Court: Organized by the local group, Road to Action Coalition, approximately 50 people attended this event. There was extensive press coverage, including CNN Headline News. Speakers included plaintiffs in the Amendment 2 case, Kerry Lobel, NGLTF Deputy Director, and local activists.

KENTUCKY - LOUISVILLE

Report by Eddie Mitchell, Fairness Campaign

March: Approximately 35 people participated in a march to the Federal Courthouse in Louisville on October 11th as the closing to local National Coming Out Day events.

MISSOURI - ST. LOUIS

Report by Jeff Wunrow, Privacy Rights Education Project

Rally: Attended by approximately 50 people, the rally in front of the Civil Courts Building included speakers from a number of local gay and lesbian groups.

NEW YORK - NEW YORK CITY

Report by Andie Montoya, Project Reach

Flyer distribution: Canvassed the West Village with a flyer that provided facts on Amendment 2 and how to get more information and take action.

NEVADA - LAS VEGAS

Report by Royce Kohler, Simply Equal Las Vegas

Rally: Approximately 50 people attended a rally in front of the Federal Building in downtown Las Vegas. There was extensive news coverage, including live feed by local news stations and articles in two newspapers.

MASSACHUSETTS - HARVARD UNIVERSITY

Report by Brad Hoylman, Lesbian, Gay & Bisexual Law Student Organization

Picket and boycott: Students of Harvard Law School protested the on-campus recruiting efforts of Sidley & Austin, the law firm representing Colorado in the Amendment 2 case. Outside the hotel where Sidley and Austin was interviewing prospective interns, protesters carried signs such as "Sidley is Hate for Hire" and "Don't Litigate Hate," and chanted "Your jobs, our lives." Hundreds of students pledged not to interview with Sidley and Austin, and fourteen professors signed a letter in support of the gay, lesbian, bisexual student group's efforts. Twenty student protesters went into the interview and directly confronted representatives from the firm.

OREGON - EUGENE

Report by Alan Brown, Citizens United Against Discrimination

Candlelight vigil: The vigil included "some fantastic PFLAG moments". There were a number of speakers, including state Senator Peter Sorenson and a PFLAG mom and her lesbian daughter. Organizers emphasized the correlation between anti-gay initiatives and increases in teen suicide. "The first anti-gay initiative was filed in Oregon during May of '91 ...that's when all the anti-gay rhetoric really started ... our teen suicide rate has quintupled since 1991 ... and given that national statistics are that 1 in 3 teen suicides is a result of the anguish that gays and lesbians go through during their teen years we felt it was important to mention ... this pattern started showing up in 1993."

OREGON - SALEM

Report by Ron Schlittler, Coalition to End Bigotry

Candlelight vigil: Held on steps of the Capitol Building, participants at

the vigil then proceeded to the Justice Building next door. Approximately 100 people attended. News coverage included a picture on the front page of the *Statesman Journal* and a story inside.

PENNSYLVANIA - PHILADELPHIA

Report by Rita Adessa, Philadelphia Lesbian and Gay Task Force

Press Conference: Held at the Liberty Bell on October 10th in conjunction with an organized mass media blitz, in which people were encouraged to (1) write a personal letter to the Supreme Court Justices that describes the impact of bigotry and prejudice in their own life, (2) write Op Ed articles and Letters to the Editor about Amendment 2, (3) telephone or write selected mass media managers to emphasize the importance of in-depth news and feature articles about the pending Amendment 2 decision.

EXPERIMENTS OF THE RADICAL RIGHT

In an effort to develop a "court-proof" initiative, the Radical Right experiments with different initiative language. The following are example of three types of initiatives the Radical Right has tested.

MAINE (1995, defeated 53%-47%)

An Act to Limit Protected Classes Under Maine Law

Ballot Question

Do you favor the changes in Maine law limiting protected classifications, in future state and local laws to race, color, sex, physical or mental disability, religion, age, ancestry, national origin, familial status and marital status, and repealing existing laws which expand these classifications as proposed by citizen petition?

COLORADO (1992, passed 53%- 47%)

Article 2, of the Colorado Constitution is amended by the addition of Section 30, which states:
No protected status based on homosexual, lesbian, or bisexual orientation. Neither the State of Colorado, through any of its branches or departments, nor any of its agencies, political subdivisions, municipalities or school districts, shall enact, adopt or enforce any statute, regulation, ordinance or policy whereby homosexual, lesbian, or bisexual orientation, conduct, practices or relationships shall constitute or otherwise be the basis of, or entitle any person or class of persons to have or claim any minority status, quota preferences, protected status or claim of discrimination. This Section of the Constitution shall be in all respects self-executing.

OREGON (1992, defeated 57%- 43%)

Amends Constitution: Forbids government promotion, encouragement of unnatural sexual behaviors

Ballot Question

Shall Oregon's constitution be amended to forbid government from recognizing "sexual orientation," or promoting unnatural sexual behaviors?

Ballot Summary

Amends Oregon Constitution. Forbids any categorical provision, or affirmative action, or quotas based on "sexual orientation," or similar language. Forbids taxpayer funding to promote, encourage or facilitate homosexuality, pedophilia, sadism or masochism. All levels of government, including the State Department of Higher Education and public schools, must set a standard for Oregon's youth which recognizes that these behaviors are wrong, unnatural, and perverse. Defines severability.

THE DECISION AND ITS IMPLICATIONS

What will the Supreme Court's decision be and what will it mean? Those are the million dollar questions. Many legal experts interpreted the questioning by the Justices during the October 10th hearing positively. Justices Ginsburg, O'Connor, Souter, and Kennedy drilled questions at Colorado attorneys that indicated a skepticism regarding the constitutionality of Amendment 2. Analysts viewed questions by Justices Scalia and Rehnquist as seemingly more favorable to the amendment.

Though the legal implications of the decision may be limited to Amendment 2, the decision's political implications are likely to be much broader. The decision could be a setback for the Radical Right or it could further them along their course of stripping existing and potential civil rights protections from minorities.

No matter what the decision, there are some key facts to keep in mind:

If the US Supreme Court upholds the Colorado state court's decision to ban implementation of Amendment 2, we have not moved forward towards equal civil rights, but have simply kept the Radical Right from dragging us backwards.

A ban on Amendment 2 maintains the status quo in Colorado: there is no statewide protection from discrimination on the basis of sexual orientation; only five locales offer discrimination protection. Coloradans of all orientations will face 1996 Radical Right-sponsored initiatives including an anti-affirmative action and one geared towards "parental rights" which is a right-wing code word for anti-gay, anti-sex measures in the schools.

The decision will not stop future anti-gay/lesbian/bisexual intiatives, nor will it make them "court-proof".

It is possible that the Court's decision will be so narrow that it will address only particular aspects of Amendment 2, instead of the Amendment as a whole and may have only limited impact on other cases, depending on the exact wording of the decision. Thus, if the court rules against Amendment 2, the Radical Right will use different language in future initiatives (see "Experiments of the Radical Right"); and if the Court rules for Amendment 2, future initiatives may possibly still be attacked legally.

Such a technically-oriented ruling could also muddy the impact of the decision and even experts' ability to interpret the ruling as positively or negatively affecting the gay, lesbian, bisexual, and transgendered community.

NGLTF

POSSIBLE DECISIONS

According to legal experts, it is impossible to predict with any certainty whether the U.S. Supreme Court will decide in favor of the plaintiffs who brought the case against Colorado's Amendment 2 OR in favor of the state of Colorado.

Which legal theory the Court uses to reach its decision, however, could have implications for other, similar cases which are already in the courts, as well as for cases which may arise later.

There are several scenarios whereby the Supreme Court's decision may result in a clear-cut victory for us, a clear-cut victory for the Radical Right, or the Court may make a decision that leaves the final outcome in doubt.

LEGAL VICTORY FOR GAYS, LESBIANS AND BISEXUALS

There were two major legal theories presented to the Court by our side in arguing against Amendment 2. If the Court accepts either of these theories, it will be a victory for us which could have implications in other cases, depending on how the Court words its decision. Each of the theories has its own, distinct advantages--they each urge the Court to adopt differing standards by which government actions against our communities are measured. While adoption of the highest standard of protection for our communities, as in #1 below, would be a major accomplishment, a Supreme Court decision in our favor even under #2 below would also be an important victory for our communities.

The two, main legal theories, in a simplified form, are presented below. Also briefly noted are two other arguments presented to the Court which it could also rely on--but is much less likely to do so--to strike down Amendment 2.

1. GAYS, LESBIANS, AND BISEXUALS HAVE A FUNDAMENTAL RIGHT TO PARTICIPATE IN THE POLITICAL PROCESS ON AN EQUAL FOOTING WITH OTHERS. THE STATE MUST DEMONSTRATE A "COMPELLING STATE INTEREST" IN ORDER TO RESTRICT THIS CONSTITUTIONAL RIGHT.

If we win under this theory, the Court will have decided that Amendment 2 denies gays, lesbians and bisexuals a fundamental right of access to the political process and that the only way Colorado could be allowed to this is if it can show that it had a "compelling state interest" to justify the burden that Amendment 2 imposes on the political participation of gays, lesbians, and bisexuals. If the Court determines that NO COMPELLING STATE INTEREST has been demonstrated by Colorado, then it will rule in favor of the plaintiffs who brought the case against Amendment 2. [By ruling on this basis, the Court will have applied its highest standard of review (known as "strict scrutiny") to Amendment 2, because a fundamental right--access to the political process-- is involved.]

2. BECAUSE AMENDMENT 2 TREATS GAYS & LESBIANS DIFFERENTLY FROM OTHERS, COLORADO HAS TO DEMONSTRATE THAT AMENDMENT 2 IS "RATIONALLY RELATED" TO A LEGITIMATE STATE INTEREST.

If the Court applies this theory (which is a less demanding standard of review and is called "rational basis" review), Colorado would be required to justify its singling out gays, lesbians and bisexuals for different treatment by showing that Amendment 2 is "rationally related" to a legitimate state interest. If the Court finds that Colorado did not meet this test, then it will rule in favor of the plaintiffs and against Colorado.

Two Less Likely Scenarios

3. SUPREME COURT APPLIES HIGHEST STANDARD OF REVIEW TO AMENDMENT 2 BECAUSE IT FINDS GAYS, LESBIANS AND BISEXUALS ARE CONSIDERED A "SUSPECT CLASS;" AMENDMENT 2 FAILS TO MEET THIS STANDARD AND IS THEREFORE HELD UNCONSTITUTIONAL.

The Court could agree with the argument presented to it by some organizations, in a "friend of the court" brief, that gays, lesbians and bisexuals constitute what is considered a "suspect class," a designation the Court has applied to racial groups. Such a ruling would mean that gays, lesbians and bisexuals cannot be carved out of the democratic process. If the Court were to make such a finding then the Court would have to decide whether Amendment 2 was narrowly tailored, or drawn, to meet a "compelling state interest." If the Court finds that Amendment 2 does not meet this test, then it would rule in favor of the plaintiffs.

4. AMENDMENT 2 VIOLATES THE LITERAL MEANING OF THE EQUAL PROTECTION CLAUSE OF THE U.S. CONSTITUTION AND, THEREFORE, IT IS STRUCK DOWN BY THE COURT.

The Court could also strike down Amendment 2 because it violates the literal guarantee provided by the Equal Protection clause of the U.S. Constitution, which provides that the government (here Colorado) can't deny one group (gays, lesbians, and bisexuals) the same protection of the law which it provides to everyone else.

LEGAL VICTORY FOR THE RADICAL RIGHT

SUPREME COURT RULES GAYS, LESBIANS AND BISEXUALS ARE NOT PROTECTED AS A "SUSPECT CLASS" SO THE LESS DEMANDING STANDARD OF REVIEW APPLIES AND THE COURT FINDS THAT AMENDMENT 2 MEETS THIS TEST.

This is the major argument under which the Court would be expected to rule in favor of Colorado and Amendment 2.

The Supreme Court agrees with Colorado that the only groups that can not be left out of the democratic process are racial groups or groups that otherwise are protected as a "suspect class" AND that gays, lesbians, and bisexuals do NOT fit that criteria. Under this ruling, Amendment 2 is NOT subject to the "strict scrutiny" legal standard, under which Colorado would have to show that Amendment 2 is narrowly tailored to meet a "compelling state interest."

The Court then announces that the legal standard of review that applies to Amendment 2 is whether it is "rationally related" to some legitimate state interest. The Supreme Court decides that Amendment 2 meets this less demanding measure of review.

THE RESULT IS THAT THE COLORADO SUPREME COURT DECISION IS REVERSED AND AMENDMENT 2 CAN BE IMPLEMENTED.

OUTCOME UNCLEAR

Under the following two scenarios--which legal experts believe there is only a slim chance of occuring--the U.S. Supreme Court would agree, as above, with Colorado that the only groups that can not be legally carved out from the democratic process are racial groups or other protected groups. But they would then draw one of the following conclusions:

1. The Court then rules that gays, lesbians, and bisexuals are not one of the protected groups. As a result, the Court returns the case to the Colorado courts so they can make determinations on the remaining federal constitutional issues in the case (which are First Amendment speech and religion claims) **AND/OR** for them to determine whether Amendment 2 is "rationally related" to any legitimate state interest. **A NEW TRIAL MAY THEN BE HELD ON THESE ISSUES BY THE COLORADO COURTS.**

2 After rejecting the plaintiffs' arguments, the Court then sets the case for reargument during its next Term (which starts 10/7/96) solely on the question of whether discrimination against gays, lesbians and bisexuals should be reviewed under a "strict scrutiny" test because they are a protected group.

NGLTF would like to thank Suzanne Goldberg and Chai Feldblum for their assistance in preparing this section.

Undo 2 Supreme Response Organizing Timeline

The fact that we do not know when the Supreme Court will render its decision makes organizing a response more difficult. The following timeline has been constructed with the assumption that the decision will not be announced before March 1. Your community will be ready to respond to the Supreme Court decision whenever it arrives if you carry out the steps we describe here.

Key tasks for achieving an effective action: Once you have figured out what kind of event you would like, the first and most important task is figuring out what the key tasks are that need doing in order to make it happen. Take a moment to imagine the kind of event you would like. How many volunteers are working? Who is speaking? What equipment are you using? Once you have determined what you want and what is required to create it, work backwards in your planning in order to figure out what work and resources are necessary, and develop timelines for when key tasks need to be started and completed.

Some key tasks that need doing at most rallies and demonstrations include:

1) security/crowd control
2) publicity/communications
3) organizing speakers/entertainment
4) working with the media
5) logistics (sound, permits, police, etc.)

Once you have determined what you need to do, determine who will do it. Many organizers suggest creating an organizing committee chaired by a manager/coordinator, and composed of the individuals who are responsible for developing teams of volunteers to accomplish each of the important tasks you have identified.

Once you've built your steering committee you are halfway to a successful event. After that, everything is just a matter of time management, enthusiasm, and good luck.

What follows is a simple campaign timeline for pulling off a successful Supreme Response demonstration/celebration. You may use it to help with your planning.

Week 1

- Call a meeting of representatives of all local progressive groups and activists. Here's where you can get the community interested and involved, get their input into what the action will look like and accomplish.

- Identify a location for the action and the general scenario/s (depending on whether the decision is considered positive or negative.

- Now match key tasks that need doing to individuals interested in taking leadership. Each of these leaders should be willing to recruit and organize a crew of volunteers interested in doing the jobs necessary, and serve on the event steering committee. Each of these leaders should get started on putting together their plans and timelines to share with your steering committee.

- You will need a person or committee interested in working with the media. Someone will need to take on the task of publicizing the event and developing a communications plan such as a phone tree for getting people to the event when the decision comes down. Permits may be needed, sound equipment and decoration may be part of the plan, speakers need to be chosen who can communication the important messages, and these speakers need to be committed to be there. And of course, once your event takes place, you will need a crew of people to help with crowd control.

Week 2

- By week 2 you should have a communication plan for getting people to your event firmly in place. If you choose to use a phonetree to spread the word, get started on building it now.

- This phone tree can be created by calling your lists contacts and inviting them to get involved. Remember, one weak link in a phone tree will break the chain, so use reliable people.

- An easy way to get out information is to set up a phone number people can call into for information on the Supreme Response plans. The number can be that of an existing group.

- Publicize the event. Create and begin distributing flyers. Inform people of your action information hotline. Have groups include the flyer in their regularly scheduled mailings.

- Generate media. Issue a press release announcing local Undo 2 Supreme Response plans. And, don't forget to use community radio and local access cable to get out the word if you have access to these services.

Week 3

- Continue publicizing the event via mailings, phone calls, flyering etc.

- Begin planning a town meeting to discuss Amendment 2 and related issues, including the impact of the Radical Right on the local community, other pending anti-gay initiates for '96, and additional ideas/planning for the Supreme Response.

Week 4

- Start a letters to the editor tree about Amendment 2 and its meaning to the local community

- Write an op-ed

- Organize a house party to raise awareness and funds

A Supreme Response:

The Supplement to the Undo 2 Action Kit

Summary

NGLTF, in conjunction with Equality Colorado, Ground Zero, and other Colorado-based groups are calling on gay, lesbian, bisexual, and transgendered people throughout the country to participate in a nationwide Supreme Response to the Supreme Court's Amendment 2 decision.

As part of the Undo 2 Action Network, groups and individuals are organizing their communities to turn out at a designated time and place the day *after* the Court renders its decision to celebrate or demonstrate.

Background

In November 1992, the voters of Colorado passed a Radical Right-sponsored ballot initiative amending the state constitution to exclude gay, lesbian, and bisexual people in that state from protection from discrimination on the basis of sexual orientation.

In January, 1993, a preliminary injuction ordering Governor Roy Romer not to enforce the measure was issued. After a series of hearings, the case made its way to the U.S. Supreme Court. On October 10th, 1995 the Supreme Court heard oral arguments on the Amendment 2 case. A decision will be rendered between January and June 1996. Though there is no way of knowing for sure, most experts do not anticipate the decision to be released before February or March.

On October 9th, 36 communities across the country participated in the Undo 2 Day of Action. Organized by NGLTF in collaboration with Colorado organizations, the lesbian, gay, bisexual, and transgendered community nationwide raised its collective voice in opposition to Amendment 2.

Purpose

The National Gay and Lesbian Task Force is committed to the fight against anti-gay ballot initiatives and assisting those individuals and groups at the state and local level under attack by the Radical Right. It is clear that the attempt by the Right to deny gay, lesbian, and bisexual Coloradans both existing and possible future protections is part of a larger effort that targets all gay, lesbian, bisexual, and transgendered people throughout the country.

The Undo 2 Action Network is part of NGLTF's ongoing efforts to extinguish the fires of the Right and support activists at the grassroots. By organizing local Undo 2 events at the grassroots, communities are strengthening the collective voice of the entire gay, lesbian, bisexual and transgendered community in opposition to Amendment 2. In the process, these communities are further organizing and educating their own members and will be better positioned to battle similar anti-gay initiatives should their communities be targeted.